

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

*County of Lake, Ohio v. Purdue
Pharma L.P., et al.,*
Case No. 18-op-45032 (N.D. Ohio)

*County of Trumbull, Ohio v. Purdue
Pharma, L.P., et al.,*
Case No. 18-op-45079 (N.D. Ohio)

“Track 3 Cases”

**MDL No. 2804
Case No. 17-md-2804
Judge Dan Aaron Polster**

**PLAINTIFFS AND PHARMACY DEFENDANTS’ STIPULATION REGARDING
POSTING OF APPEAL BOND AND
STAY OF EXECUTION OF MONETARY JUDGMENT PENDING APPEAL**

1. Plaintiffs Lake County, Ohio, and Trumbull County, Ohio (“Plaintiffs”) and Defendants Walmart Inc., CVS Pharmacy, Inc., Ohio CVS Stores, L.L.C, CVS TN Distribution, L.L.C, CVS Rx Services, Inc., CVS Indiana L.L.C., Walgreens Boots Alliance, Inc., Walgreen Co., and Walgreen Eastern Co., Inc. (“Pharmacy Defendants”) stipulate to a bond in the amount of \$141,004,561 to stay execution of the monetary portion of the judgment pending appeal, including any appeal to the United States Supreme Court.¹

2. Pharmacy Defendants will promptly file on the Court’s docket a bond for \$141,004,561 to last through the end of the appeal in this case, including any appeal to the Supreme

¹ The verdict in this case was restricted to Walmart Inc., CVS Pharmacy, Inc., and Walgreen Co. Dkt. 4176. Out of an abundance of caution, the other defendant entities named in the complaint also join this stipulation.

Court of the United States. The bond will be guaranteed by Liberty Mutual, a surety company certified by this Court as well as the U.S. Treasury to post supersedeas bonds.

3. The bond amount represents the first three years of payments from Pharmacy Defendants to Plaintiffs under the Court's judgment: \$86,746,667 for the first two years' payment, due on October 1, 2022, and \$43,373,333 for the third-year payment, due on October 1, 2024. Dkt. 4614 at 2. The bond amount also includes interest as agreed upon by the parties.

4. Plaintiffs reserve the right to move this Court to increase the amount of the bond in the event of a material negative change to Defendants' financial condition, in the event of a bankruptcy filing, or in the event that the appellate process extends beyond three years.

5. Nothing in this agreement should be construed to apply to the portion of the Court's judgment providing for injunctive relief. *See* Dkt. 4611-1.

Dated: September 13, 2022

Respectfully submitted,

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So ordered. /s/Dan Aaron Polster 9/14/22